

BIRCH STEWART, KOLASCH & BIRCH LLP

INTELLECTUAL PROPERTY LAW
8110 GATEHOUSE ROAD
SUITE 500 EAST
FALLS CHURCH, VA 22042-1210
U S A
(703) 205-8000

FAX: (703) 205-8050
(703) 698-8590 (G IV)

e-mail: mailroom@bskb.com
web: http://www.bskb.com

CALIFORNIA OFFICE:
COSTA MESA, CALIFORNIA

TERRELL C. BIRCH
RAYMOND C. STEWART
JOSEPH A. KOLASCH
JAMES M. SLATTERY
BERNARD L. SWEENEY*
MICHAEL K. MUTTER
CHARLES GORENSTEIN
GERALD M. MURPHY, JR.
LEONARD R. SVENSSON
TERRY L. CLARK
ANDREW D. MEIKLE
MARC S. WEINER
JOE MCKINNEY MUNCY
ROBERT J. KENNEY
DONALD J. DALEY
JOHN W. BAILEY
JOHN A. CASTELLANO, III
GARY D. YACURA

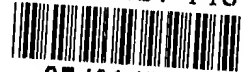
OF COUNSEL:
HERBERT M. BIRCH (1905-1996)
ELLIOT A. GOLDBERG*
WILLIAM L. GATES*
EDWARD H. VALANCE
RUPERT J. BRADY (RET.)*
F. PRINCE BUTLER
FRED S. WHISENHUNT

*ADMITTED TO A BAR OTHER THAN VA.

THOMAS S. AUCHTERLONIE
JAMES T. ELLER, JR.
SCOTT L. LOWE
MARK J. NUEL, PH.D.
D. RICHARD ANDERSON
PAUL C. LEWIS
MARK W. MILSTEAD*
RICHARD J. GALLAGHER

REG. PATENT AGENTS:
FREDERICK R. HANDREN
MARYANNE ARMSTRONG, PH.D.
MAKI HATSUMI
MIKE S. RYU
CRAIG A. MCROBBIE
GARTH M. DAHLEN, PH.D.
LAURA C. LUTZ
ROBERT E. GOOZNER, PH.D.
HYUNG N. SOHN
MATTHEW J. LATTIG
ALAN PEDERSEN-GILES
C. KEITH MONTGOMERY
TIMOTHY R. WYCKOFF
HERMES M. SOYEZ, PH.D.
KRISTI L. RUPERT, PH.D.

jc803 U.S. PTO



07/21/00

Date: July 21, 2000

Docket No.: 2750-991P

jc802 U.S. PTO
09/621630



BOX PATENT APPLICATION

Assistant Commissioner for Patents
Washington, DC 20231

Sir:

As authorized by the inventor(s), transmitted herewith for filing is a patent application applied for on behalf of the inventor(s) according to the provisions of 37 C.F.R. § 1.41(c), which claims priority under 35 U.S.C. § 119(e) of Provisional Application No. 60/144,814 filed on July 21, 1999

Inventor(s): Nickolai ALEXANDROV, Maxim TROUKHAN

For: SEQUENCE-DETERMINED DNA FRAGMENTS AND CORRESPONDING
POLYPEPTIDES ENCODED THEREBY

Enclosed are:

- ☒ A specification consisting of a Description (844 pages), Table 1 (25 pages), Claims (5 pages), schematic (1 page), Abstract (1 page) totaling eight hundred seventy six (876) pages
- ☐ () sheet(s) of formal drawings
- ☐ Certified copy of Priority Document(s)
- ☒ Executed Declaration in accordance with 37 C.F.R. § 1.64 will follow
- ☒ A statement to establish small entity status under 37 C.F.R. § 1.9 and 37 C.F.R. § 1.27

- ☐ Preliminary Amendment
- ☒ Information Sheet
- ☐ Information Disclosure Statement, PTO-1449 and reference(s)
- ☐ Amend the specification by inserting before the first line the sentence:

--This application claims priority on provisional Application No. _____ filed on _____, the entire contents of which are hereby incorporated by reference.--

- ☒ Other: Power of Attorney regarding Small Entity Statement, ATCC Deposit receipts PTA-595, PTA-1161, PTA-1411, CD containing Specification

The filing fee has been calculated as shown below:

			LARGE ENTITY	SMALL ENTITY
BASIC FEE			\$690.00	\$345.00
	NUMBER FILED	NUMBER EXTRA	RATE FEE	RATE FEE
TOTAL CLAIMS	50- 20 =	30	X 18 = \$0.00	x 9 = 270
INDEPENDENT CLAIMS	5- 3 =	2	x 78 = \$0.00	x 39 = 78
<input type="checkbox"/> MULTIPLE DEPENDENT CLAIMS PRESENTED			+ \$260.00	+ \$130.00
TOTAL			\$0.00	\$693.00

- ☒ The application transmitted herewith is filed in accordance with 37 C.F.R. § 1.41(c). The undersigned has been authorized by the inventor(s) to file the present application. The original duly executed declaration together with the surcharge will be forwarded in due course.
- ☒ A check in the amount of \$693.00 to cover the filing fee is enclosed.

☐ Please charge Deposit Account No. 02-2448 in the amount of \$0.00. A triplicate copy of this transmittal form is enclosed.


☒ Please send correspondence to:

BIRCH, STEWART, KOLASCH & BIRCH, LLP **or** Customer No. 2292
P.O. Box 747
Falls Church, VA 22040-0747
Telephone: (703) 205-8000

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By 
Raymond C. Stewart, #21,066

RCS/JRK
2750-991P

P.O. Box 747
Falls Church, VA 22040-0747
(703) 205-8000

Attachments

PATENT APPLICATION SERIAL NO. _____

U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE
FEE RECORD SHEET

08/02/2000 ASELMAN 00000034 09621630

01 FC:201	345.00	OP
02 FC:203	270.00	OP
03 FC:202	78.00	OP

PTO-1556
(5/87)

ATCC

10801 University Blvd • Manassas, VA 20110-2209 • Telephone: 703-365-2700 • FAX: 703-365-2745

BUDAPEST TREATY ON THE INTERNATIONAL RECOGNITION OF THE DEPOSIT OF MICROORGANISMS FOR THE PURPOSES OF PATENT PROCEDURE

INTERNATIONAL FORM

RECEIPT IN THE CASE OF AN ORIGINAL DEPOSIT ISSUED PURSUANT TO RULE 7.3
AND VIABILITY STATEMENT ISSUED PURSUANT TO RULE 10.2

To: (Name and Address of Depositor or Attorney)

Ceres, Inc.
Attn: Ling-Fong Chung
3007 Malibu Canyon Road
Malibu, CA 90265

Deposited on Behalf of: Ceres, Inc.

Identification Reference by Depositor:

Patent Deposit Designation

Escherichia coli LIBA010600

PTA-1161

The deposit was accompanied by: a scientific description X a proposed taxonomic description indicated above.

The deposit was received January 7, 2000 by this International Depository Authority and has been accepted.

AT YOUR REQUEST: X We will inform you of requests for the strain for 30 years.

The strain will be made available if a patent office signatory to the Budapest Treaty certifies one's right to receive, or if a U.S. Patent is issued citing the strain, and ATCC is instructed by the United States Patent & Trademark Office or the depositor to release said strain.

If the culture should die or be destroyed during the effective term of the deposit, it shall be your responsibility to replace it with living culture of the same.

The strain will be maintained for a period of at least 30 years from date of deposit, or five years after the most recent request for a sample, whichever is longer. The United States and many other countries are signatory to the Budapest Treaty.

The viability of the culture cited above was tested January 19, 2000. On that date, the culture was viable.

International Depository Authority: American Type Culture Collection, Manassas, VA 20110-2209 USA.

Signature of person having authority to represent ATCC:

Barbara M. Hailey
Barbara M. Hailey, Administrator, Patent Depository

Date: January 19, 2000

cc: Raymond Stewart, Esq. (Ref. 80070.100)

JC882 U.S. PTO
09/621630
07/21/00

ATCC

10801 University Blvd • Manassas, VA 20110-2209 • Telephone: 703-365-2700 • FAX: 703-365-2745

BUDAPEST TREATY ON THE INTERNATIONAL RECOGNITION OF THE DEPOSIT OF MICROORGANISMS FOR THE PURPOSES OF PATENT PROCEDURE

INTERNATIONAL FORM

RECEIPT IN THE CASE OF AN ORIGINAL DEPOSIT ISSUED PURSUANT TO RULE 7.3
AND VIABILITY STATEMENT ISSUED PURSUANT TO RULE 10.2

To: (Name and Address of Depositor or Attorney)

Ceres, Inc.
Attn: Bhuvana Gopalakrishnan
3007 Malibu Canyon Road
Malibu, CA 90265

JC882 U.S. PTO
09/621630
07/21/00

Deposited on Behalf of: Ceres, Incorporated

Identification Reference by Depositor:

Patent Deposit Designation

Escherichia coli LIBA021800

PTA-1411

The deposit was accompanied by: ___ a scientific description ☒ a proposed taxonomic description indicated above.

The deposit was received February 23, 2000 by this International Depository Authority and has been accepted.

AT YOUR REQUEST: ☒ We will inform you of requests for the strain for 30 years.

The strain will be made available if a patent office signatory to the Budapest Treaty certifies one's right to receive, or if a U.S. Patent is issued citing the strain, and ATCC is instructed by the United States Patent & Trademark Office or the depositor to release said strain.

If the culture should die or be destroyed during the effective term of the deposit, it shall be your responsibility to replace it with living culture of the same.

The strain will be maintained for a period of at least 30 years from date of deposit, or five years after the most recent request for a sample, whichever is longer. The United States and many other countries are signatory to the Budapest Treaty.

The viability of the culture cited above was tested March 1, 2000. On that date, the culture was viable.

International Depository Authority: American Type Culture Collection, Manassas, VA 20110-2209 USA.

Signature of person having authority to represent ATCC:


Barbara E. Coupé, Administrator, Patent Depository

Date: March 1, 2000

cc: Raymond Stewart, Esq. (Ref. Docket 80090.101)

ATCC

10801 University Blvd • Manassas, VA 20110-2209 • Telephone: 703-365-2700 • FAX: 703-

BUDAPEST TREATY ON THE INTERNATIONAL RECOGNITION OF THE DEPOSIT OF MICROORGANISMS FOR THE PURPOSES OF PATENT PROCEDURE

INTERNATIONAL FORM

RECEIPT IN THE CASE OF AN ORIGINAL DEPOSIT ISSUED PURSUANT TO RULE 7.3 AND VIABILITY STATEMENT ISSUED PURSUANT TO RULE 10.2

To: (Name and Address of Depositor or Attorney)

Ceres, Inc.
Attn: Ling-Fong Chung
3007 Malibu Canyon Road
Malibu, CA 90265

Deposited on Behalf of: Ceres, Incorporated

Identification Reference by Depositor:

Patent Deposit Designation

Arabidopsis thaliana Wassilewskija ecotype seeds

PTA-595

The seeds were accompanied by: ☐ a scientific description ☒ a proposed taxonomic description indicated above. The seeds were received August 31, 1999 by this International Depository Authority and have been accepted.

AT YOUR REQUEST: ☒ We will inform you of requests for the seeds for 30 years.

The seeds will be made available if a patent office signatory to the Budapest Treaty certifies one's right to receive, or if a U.S. Patent is issued citing the seeds and ATCC is instructed by the United States Patent & Trademark Office or the depositor to release said seeds.

If the seeds should die or be destroyed during the effective term of the deposit, it shall be your responsibility to replace them with viable seeds of the same.

The seeds will be maintained for a period of at least 30 years from date of deposit, or five years after the most recent request for a sample, whichever is longer. The United States and many other countries are signatory to the Budapest Treaty.

The viability of the seeds cited above was tested September 7, 1999. On that date, the seeds were viable.

International Depository Authority: American Type Culture Collection, Manassas, VA 20110-2209 USA.

Signature of person having authority to represent ATCC:

Barbara M. Hailey
Barbara M. Hailey, Administrator, Patent Depository

Date: September 9, 1999

cc: Raymond Stewart, Esq. (Ref. Docket 80001.100)

IN THE U.S. PATENT AND TRADEMARK OFFICE

I N F O R M A T I O N S H E E T

Applicant: Nickolai ALEXANDROV, Maxim TROUKHAN
Appl. No.: NEW
Filed: July 21, 2000
For: SEQUENCE-DETERMINED DNA FRAGMENTS AND
CORRESPONDING POLYPEPTIDES ENCODED
THEREBY

Priority Claimed: 2750-503P 60/144,814 July 21, 1999

Send Correspondence to:

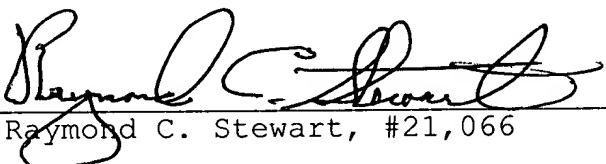
BIRCH, STEWART, KOLASCH & BIRCH, LLP or **CUSTOMER NO. 2292**
P.O. Box 747
Falls Church, VA 22040-0747
(703) 205-8000

The above information is submitted to advise the U.S.P.T.O.
of all relevant facts in connection with the present application.

A timely executed Declaration in accordance with 37 C.F.R.
§ 1.64 will follow.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By 
Raymond C. Stewart, #21,066

RCS/JRK
2750-991P

P.O. Box 747
Falls Church, VA 22040-0747
(703) 205-8000